

ARTICLE 29 Data Protection Working Party



Brussels, 6 February 2015

Ms Jekaterina Macuka
Presidency of the Council of the EU
By E-mail: jekaterina.macuka@tm.gov.lv,
TM.dati@tm.gov.lv

Dear Ms Macuka,

On behalf of the Article 29 Working Party on Data Protection, I would like to congratulate you on becoming the EU Council Presidency and wish you all the best during your term.

Having regard to the state of the negotiations on the data protection package, and after three years of discussions, we believe your presidency is crucial in finding an agreement within the Council.

The absence of this new legal framework bears heavy consequences. Organisations are delaying the introduction of necessary improvements and efforts that should be directed to strengthening compliance. The continuing delay is detrimental to the protection of personal data in practice.

In addition, the latest discussions on the scope of both the Regulation and the Directive increase the possibility that the final level of protection will be lowered compared to the current situation.

In fact, the urgent adoption of the data protection package is imperative for several reasons one of them is the outdated nature of the current legal framework.

The credibility of European policy is at stake. This reform is emblematic and represents a key opportunity for the European Union to demonstrate its ability to evolve in a digital and globalized environment and to deal with the internationalization of personal data while guaranteeing that fundamental rights to privacy and data protection are respected.

The relations of data protection authorities with all stakeholders (companies, civil society, and public authorities) and the trust of EU citizens are also at stake: the reform represents an important economic tool, a turning point for businesses and has to ensure a high level of protection for citizens.

This Working Party was set up under Article 29 of Directive 95/46/EC. It is an independent European advisory body on data protection and privacy. Its tasks are described in Article 30 of Directive 95/46/EC and Article 15 of Directive 2002/58/EC.

The secretariat is provided by Directorate C (Fundamental rights and Union citizenship) of the European Commission, Directorate-General for Justice and Consumers, B-1049 Brussels, Belgium, Office No MO59 02/34

Website: http://ec.europa.eu/justice_home/fsj/privacy/index_en.htm

This adoption will also allow the implementation of the necessary tools to guarantee effective and efficient cooperation between data protection authorities.

The Working Party is willing to continue participating in this essential exercise to define a new framework ensuring a high level of quality of data protection principles and will be pleased to bring its skills and share its experience with your team.

In that regards, the Working Party will, when necessary, provide further input that may be helpful in the future trialogue discussions.

We would be grateful to meet with you or representatives of the Latvian presidency and remain at your disposal for any questions you may have.

Yours sincerely,

On behalf of the Article 29 Working Party,

Isabelle FALQUE-PIERROTIN
Chairwoman

CC:

Ms Věra Jourová Commissioner for Justice, Consumers and Gender Equality

Mr Claude Moraes, President of the LIBE Committee on Civil Liberties, Justice and Home Affairs